

CHW:chw
12/18/03
Item No. 51

AN ORDINANCE

98632

APPROVING AN EXTENSION OF LINE-OF-DUTY (LOD) LEAVE FOR FIRE APPARATUS OPERATOR MARIO MONTEMAYOR THAT WILL RESTORE ONE THOUSAND, THREE HUNDRED AND SIXTY-SEVEN (1,367) HOURS, OR FIFTY SEVEN (57) SHIFTS, OF THE SICK AND ANNUAL LEAVE HE USED FROM MARCH 26, 2003, TO DECEMBER 18, 2003, AND ALLOWING THE FIRE DEPARTMENT TO CONSIDER THIS PERIOD LOD LEAVE.

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WHEREAS, section 143.073 of the Texas Local Government Code provides that a firefighter injured in the line of duty is entitled to line-of-duty injury leave with full pay for a period commensurate with the injury and not to exceed one year; and

WHEREAS, section 143.073 also provides that a municipality's governing body may extend the line-of-duty injury leave beyond one year; and

WHEREAS, San Antonio Fire Department Fire Apparatus Operator Mario Montemayor injured his back in the line of duty on March 23, 2002; and

WHEREAS, FAO Montemayor has not yet returned to full duty and is not expected to do so until April 15, 2004; and

WHEREAS, FAO Montemayor is requesting an extension of line-of-duty injury leave for the period March 26, 2003, to December 18, 2003, and the period December 19, 2003, to April 15, 2004; and

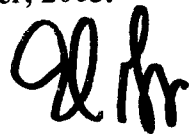
WHEREAS, approving the requested extension would restore fifty-seven shifts (1367 hours) of sick and annual leave to FAO Montemayor and allow another thirty shifts (720 hours) of line-of-duty injury leave, should it be needed; **NOW THEREFORE:**

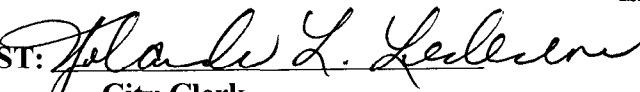
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

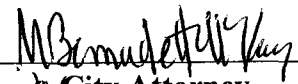
SECTION 1. An extension beyond one year of Fire Apparatus Operator Mario Montemayor's line-of-duty injury leave for the period March 26, 2003, to December 18, 2003, and the restoration of fifty-seven shifts (1367 hours) of sick and annual leave to FAO Montemayor are hereby approved. In addition, an extension beyond one year of FAO Montemayor's line-of-duty injury leave for the period December 19, 2003, to April 15, 2004, which would constitute thirty shifts (720 hours), if it should be needed, is hereby approved.

SECTION 2. This ordinance shall take effect ten days from the date of passage.

PASSED AND APPROVED this 18th day of December, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney